

Message Text

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ACTION L-03

INFO OCT-01 ISO-00 EA-10 CA-01 JUSE-00 EUR-12 FBIE-00
SCS-06 SSO-00 PPT-01 /034 W
-----029942 010746Z /14

O 010558Z AUG 78
FM AMEMBASSY WELLINGTON
TO SECSTATE WASHDC IMMEDIATE 6006
AMEMBASSY CANBERRA IMMEDIATE
INFO AMCONSUL SYDNEY PRIORITY
HMNZXHA/AMEMBASSY MANILA

AMEMBASSY OTTAWA
AMEMBASSY SUVA
AMEMBASSY TOKYO
AMCONSUL VANCOUVER
CINCPAC HONOLULU
AMCONSUL AUCKLAND BY POUCH

C O N F I D E N T I A L SECTION 01 OF 02 WELLINGTON 04010

MANILA FOR LEGATT; CINCPAC ALSO FOR POLAD AND ICA
ADVISER

EO 11652: XGDS-2
TAGS: PDIP, CFED, PORS, SOCI, CVIS (MEIER, JOHN H.),
- CPRS, TN, US, CA
SUBJECT: EXTRADITION: JOHN HERBERT MEIER (AKA IVOR A.
- ROBERTSON)

REF: (A) WELLINGTON 03918, (B) CANBERRA 5971

1. FOLLOWING RECEIPT LATE JULY 28 OF THE INFORMATION
THAT MEIER HAD BEEN RELEASED BY THE MAGISTRATE IN
SYDNEY, WE WERE INFORMED BY THE AUSTRALIAN HIGH
COMMISSIONER TO NEW ZEALAND (BORDER) THAT THE AUSTRALIAN
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HICOMER IN SUVA (UPTON) HAD BEEN INSTRUCTED TO REQUEST
AN AUDIENCE WITH KING TAUFU'AHAU TUPOU IV TO EXPLAIN
MEIER'S BACKGROUND AND THE PROCEEDINGS AGAINST HIM.
BORDER ASKED THAT WE SUPPORT THE GOA'S APPROACH.
I AGREED, SENDING EMBASSY POLCONS DOLS TO TONGA ON
JULY 29, AS PREVIOUSLY PLANNED (SEE REF A).

2. DOLS MET WITH KING TUPOU ON JULY 30. AFTER DOLS OUT-LINED MEIER'S BACKGROUND, THE VARIOUS CHARGES PENDING AGAINST HIM, AND THE CURRENT EXTRADITION SITUATION, THE KING STATED :

- (A) THE CHARTER OF THE BANK OF THE SOUTH PACIFIC (BSP) WOULD NOT BE SUBMITTED TO THE LEGISLATIVE ASSEMBLY FOR CONFIRMATION (AN OPINION BY SUPREME COURT JUSTICE HILL ON JULY 17 RULED THAT THE CHARTER ORDINANCE HAD BEEN ISSUED EXTRA-CONSTITUTIONALLY AND WOULD HAVE TO BE RESUBMITTED TO PARLIAMENT IN STATUTORY BILL FORM);

- (B) THE ASSOCIATION OF JOHN MEIER WITH THE KINGDOM OF TONGA WAS ENDED AND HE WOULD HENCEFORTH HAVE TO RESPOND TO CHARGES AGAINST HIM AS A PRIVATE INDIVIDUAL; AND

- (C) THE POLICE WILL BE INSTRUCTED TO CONFISCATE MEIER'S TONGAN DIPLOMATIC PASSPORT IF HE ATTEMPTS TO RETURN TO TONGA.

THE KING ALSO INDICATED THAT HE WAS NOT DISTURBED BY THE ACTIONS OF THE GOA AND USG AND THAT HE UNDERSTOOD THE NECESSITY OF THE USG TO PROSECUTE MEIER. DOLS ALSO INFORMED THE KING THAT THE EMBASSY HAD INSTRUCTIONS TO REQUEST MEIER'S EXTRADITION FROM NEW ZEALAND. HE ACCEPTED THIS AND THEN INQUIRED ABOUT THE POSSIBILITIES
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OF EXTRADITION OF MEIER FROM TONGA, FIJI, JAPAN, AND CANADA. DOLS TOLD HIM THAT THE US-TONGA EXTRADITION TREATY (SIGNED AT LONDON, DEC. 22, 1931) APPARENTLY DID NOT INCLUDE THE CRIME OF OBSTRUCTION OF JUSTICE, THAT THE FIJI-US TREATY IS THE SAME TREATY AS THAT WHICH APPLIES TO TONGA, THAT WE HAD BEEN INFORMED BY THE DEPT. THAT THE US-JAPAN TREATY DOES NOT COVER THE CHARGES, AND THAT WE HAVE NO KNOWLEDGE OF THE CANADIAN-US TREATY. THE KING'S FACE-SAVING COMMENT AT THE END OF THE AUDIENCE WAS THAT WE (THE TONGAN GOVT) HAD USED MEIER AS FAR AS WE COULD AND THAT AT LEAST HE HAD INTERESTED "OTHERS" WHO ARE NOW WILLING TO TAKE UP THE AIRPORT PROJECT. (THE "OTHERS" ARE APPARENTLY JAPANESE OR ARAB COMMERCIAL INTERESTS, BOTH OF WHICH THE KING HAS MENTIONED RECENTLY. WE REMAIN SCEPTICS ABOUT THE POSSIBILITY OF ANYONE PICKING UP THE PROJECT AT THIS STAGE.)

3. A) SUBSEQUENT TO HIS AUDIENCE WITH THE KING, DOLS WAS TOLD BY AN UNOFFICIAL SOURCE THAT THE SECRETARY TO GOVERNMENT (TANIELA TUFUI) HAD BEEN INSTRUCTED TO SEND A CABLE TO THE AUSTRALIAN GOVERNMENT NOTIFYING THE GOA OF THE CANCELLATION OF MEIER'S DIPLOMATIC

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FM AMEMBASSY WELLINGTON
TO SECSTATE WASHDC IMMEDIATE 6007
AMEMBASSY CANBERRA IMMEDIATE
INFO AMCONSUL SYDNEY PRIORITY
AMEMBASSY MANILA
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PASSPORT. DOLS, HOWEVER, WAS UNABLE TO VERIFY THIS PRIOR
TO HIS SCHEDULED DEPARTURE ON THE MORNING OF JULY 31.
WE HAVE SUBSEQUENTLY QUERIED BUT HAVE NOT YET RECEIVED
REPLIES FROM THE TONGAN GOVT. AND THE AUSTRALIAN HIGH
COMMISSION IN WELLINGTON CONCERNING THE EXISTENCE OF
SUCH A MESSAGE. FROM AUSTRALIAN NEWSPAPERS DATED
JULY 30, IT APPEARS THAT MEIER MAY NOT YET HAVE DE-
PARTED SYDNEY FOR TOKYO AS HE SAID HE WOULD WHEN RE-
LEASED BY THE COURT ON JULY 28.

- B) ACTION REQUESTED: IF MEIER IS STILL IN AUSTRALIA
AND IF THE GOA HAS BEEN NOTIFIED OF THE PASSPORT
CANCELLATION, WE WOULD APPRECIATE THE DEPARTMENT'S
OPINION ON THE LEGALITY OF AN ATTEMPT TO HAVE MEIER
RE-ARRESTED. ANY INFORMATION FROM CANBERRA ON MEIER'S
WHEREABOUTS WOULD THEREFORE BE WELCOME.

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4. IN A MEETING WITH MINISTER OF POLICE GEORGE 'AKAU'OLA JUST PRIOR TO DEPARTURE FOR WELLINGTON ON JULY 31, DOLS AGAIN OUTLINED THE CASE. 'AKAU'OLA, WHO BELIEVES THAT MEIER WILL MAKE ONE LAST DESPERATE ATTEMPT TO RESURRECT THE BSP BY RETURNING TO TONGA, PROMISED TO INFORM US IMMEDIATELY IF MEIER RE-ENTERS THE COUNTRY. HE URGED THAT WE KEEP UP THE PRESSURE ON MEIER AND SUGGESTED THAT WE CANVASS THE VARIOUS DEPARTURE ROUTES TO FIND A COUNTRY WHERE WE MIGHT EXTRADITE MEIER. 'AHAU'OLA SAID THAT HE COULD PROVIDE FLIGHT BOOKING INFORMATION WHICH MIGHT BE HELPFUL TO US IN INTERCEPTING MEIER.

5. THE ATTEMPT TO EXTRADITE MEIER FROM AUSTRALIA, HOWEVER UNSUCCESSFUL, HAS GIVEN THE KING A WELCOME OPPORTUNITY TO DIVORCE HIMSELF FROM A FESTERING REVOLT BY HIS CABINET MINISTERS, NOTABLY MINED KAVALIKU AND MINPOLICE 'AKAU'OLA, AND OTHER MEMBERS OF THE LEGISLATIVE ASSEMBLY. THE REQUEST FOR A LEGAL OPINION (REFERRED TO ABOVE) WHICH INVALIDATED THE ORIGINAL ORDINANCE CHARTERING THE BSP WAS BUT THE FIRST ROUND IN WHAT WAS BECOMING AN INCREASINGLY STICKY DOMESTIC POLITICAL PROBLEM FOR THE KING. WE ARE CONTENT THAT THE RIGHT COURSE NOW IS TO CONTINUE TO PURSUE MEIER UNTIL HE IS BROUGHT TO TRIAL. SELDEN

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